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BEFORE THE ARIZONA CORPORATION COMMISSION

AZ CORP COMMISSIO Arizona Corporation Commission

JIM IRVIN
Chairman
TONY WEST
Commissioner
CARL J. KUNASEK
Commissioner

Mar 2 | 25 PM '99 0 0 0 1000

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DOCUMENT CONTROL

DOCKETED BY

IN THE MATTER OF U S WEST	
COMMUNICATIONS, INC.'S	
COMPLIANCE WITH § 271 OF THE	3
TELECOMMUNICATIONS ACT OF	?
1996	

Docket No. T-00000B-97-0238

OBJECTION TO U S WEST'S FIRST SET OF DATA REQUESTS TO NEXTLINK ARIZONA, INC.

On, February 25, 1999, U S WEST Communications, Inc. ("U S WEST") served on NEXTLINK Arizona, Inc. ("NEXTLINK") its First Set of Data Requests in this proceeding. These Data Requests were not tailored in any way to NEXTLINK and were identical to those served on other parties. NEXTLINK objects to this discovery as inconsistent with the procedural framework ordered by the Commission in this case and also objects to the discovery as burdensome and not calculated to lead to the discovery of relevant information.

Both the May 27, 1997 and the June 16, 1998 procedural orders issued in this docket require U S WEST to file with the Arizona Corporation Commission "at least 90 days prior to making its FCC filing, the full and complete application which [it] intends to file at the FCC." 6/16/98 Procedural Order, para. 4. On February 8, 1999, U S WEST filed a Notice of Intent to File with the FCC. That filing was not U S WEST's "complete application" and did not contain any supporting evidence of compliance with the 14-point competitive checklist contained in 47 U.S.C. §271(c)(2)(B). A number of parties have asked the Commission to reject U S WEST's initial notice filing as non-compliant and require that U S WEST file its full and complete application. See Joint Motion to Reject US WEST's



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Notice, filed February 16, 1999. NEXTLINK did not join in that request because it had not yet filed to become an intervenor.

NEXTLINK objects to the data requests as premature and burdensome because U S WEST has not yet filed the required complete application. NEXTLINK also objects to the data requests as burdensome and not calculated to lead to the discovery of relevant information as they have not been tailored to NEXTLINK and NEXTLINK has only recently begun operations in Arizona.

Therefore, NEXTLINK will respond to U S WEST's First Set of Discovery Requests only after the Commission has ruled on the pending Joint Motion to Reject U S WEST's Notice filing or after U S WEST has complied with the existing procedural order by filing its full and complete application. At such future time, NEXTLINK will be prepared to meet and confer with U S WEST regarding answers to individual Data Requests.

DATED this 2nd day of March, 1999.

NEXTLINK ARIZONA, INC.

By: ______
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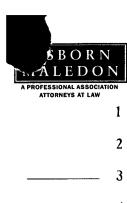
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ORIGINAL AND TEN COPIES of the foregoing hand-delivered for filing on March 2, 1999, to: **Docket Control** Arizona Corporation Commission 1200 West Washington Street

ONE COPY of the foregoing hand-delivered on March 2, 1999, to:

Phoenix, AZ 85007

Mr. Jerry Rudibaugh Chief Hearing Officer **Hearing Division** Arizona Corporation Commission 1200 West Washington Street Phoenix, AZ 85007

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